## IN THE SUPREME COURT OF THE STATE OF HAWAI'I

FRANK H. N. SCHENK, Plaintiff-Appellee,

VS.

BONNNIE LYNN SCHENK, Defendant-Appellant,

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FRANK H. N. SCHENK, Third-Party Plaintiff-Appellee,

VS.

RICHARD LEE, Third-Party Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (FC-D NO. 96-291K)

ORDER DENYING APPLICATION FOR WRIT OF CERTIOARI (By: Moon, C.J., for the court<sup>1</sup>)

Petitioner Frank H. N. Schenk's application for writ of certiorari, filed January 6, 2004, is denied.

DATED: Honolulu, Hawai'i, January 15, 2004.

Ira Leitel, for FOR THE COURT:

petitioner Frank H. N. Schenk, on the writ

Chief Justice

 $<sup>^{\</sup>mbox{\tiny 1}}$  Considered by: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.